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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/661,759	09/12/2003	Dennis W. Anderson	51753.00	8154

1726 7590 08/16/2005

INTERNATIONAL PAPER COMPANY
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LOVELAND, OH 45140

EXAMINER

HALPERN, MARK

ART UNIT	PAPER NUMBER
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1731

DATE MAILED: 08/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/661,759

Applicant(s)

ANDERSON, DENNIS W.

Examiner

Mark Halpern

Art Unit

1731

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 and 27-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14, 27-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

- 1) Acknowledgement is made of Response Amendment received 6/15/2005.

Claim 1 is amended.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

- 2) Claims 1-2, 5-8, 11-14, 27-32, 35, are rejected under 35 U.S.C. 102(b) as being anticipated by Mayer (6,189,237).

Claims 1-2, 5-7, 14, 27-30, 35: Mayer discloses an apparatus for treatment of a moving web. Web 1 is guided over dryer cylinder rolls 11 on permeable belt 5 and over vacuum guide roll 6, which is also web support element 4, said roll 6 being located between rolls 11. The rolls are rotating rolls in the web travel direction 7. A high temperature boundary layer adjacent to the surface of the web is created due to the heat and moisture from the first dryer cylinder 11. On one side of web 1, a source of air with the assistance of guide element 3, creates a blanket of compressed air 2 to press or direct steam off the web. The guide element 3 (col. 5, lines 38-40) reads on air foil. Compressed air is emitted from nozzle openings. Vacuum means within perforated roll

6 is also utilized to withdraw high temperature and moisture from the web surface, thus is a source of cooling (col. 5, line 23 to 38, and Figures 1-4).

Claims 8, 11-13, 31-32, 34: Air blowing nozzles 8 and 10 are disclosed. Nozzles 8 are positioned normal to the surface of the web. Nozzles 10 are positioned tangentially to the surface of the web. See Figures 3, 4.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3) Claims 3-4, 9, 33, are rejected under 35 U.S.C. 103(a) as being unpatentable over Mayer in view of Anderson (6,207,020).

Claim 3: Mayer is applied as above for claim 1, Mayer fails to disclose that the means for conveying is between a dryer unit and a calender unit. Anderson discloses an apparatus for conditioning a web in a papermaking machine traveling between a dryer unit and a calender (Andersen, col. 9, line 49 col. 10, line 65 and Figure 7). It would have been obvious, to one skilled in the art at the time the invention was made, to combine the teachings of Mayer and Anderson, because such a combination would enhance smoothness of the product of Mayer, as disclosed by Anderson (Abstract).

Claim 4: it would have been obvious, to one skilled in the art at the time the invention was made, that a reel-up follows the calender in a papermaking machine.

Claims 9, 33: moistening means are disclosed by Anderson (col. 9, line 49 col. 10, line 65 and Figure 7).

Response to Amendment

4) Claims 2, 6, rejection under 35 U.S.C. 112, second paragraph, is withdrawn in view of amended claim 1.

5) Applicant's arguments filed 6/15/2005, have been fully considered but they are not persuasive.

Applicant alleges that the cited prior art, Mayer does not disclose a "means for stripping away at least a portion of the boundary layer".

The cited prior art, Mayer, discloses a means, which is compressed air from a source blowing to press or direct steam off the web. The means can be used for the function of stripping away a portion of the boundary layer or for creating a boundary layer. The present claims are apparatus claims. The cited prior art structurally discloses the invention.

In regard to the dependent claims, Applicant alleges that the combination of references, Mayer and Anderson, is not proper since the independent claims are not rejected under 35 U.S.C. 103 rule, and there is no motivation to combine the references.

The rejection of dependent claims is proper as per item 5, above.

Conclusion

6) **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7) Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Halpern whose telephone number is 571-272-1190. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 571-272-1189. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 1731

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "M. Halpern". The signature is fluid and cursive, with a long, sweeping underline.

Mark Halpern
Primary Examiner
Art Unit 1731